

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Hastings Mutual Insurance Company v William D Snyder**

Docket No. **268747**

L.C. No. **05-024484-CZ**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed February 27, 2006, as to the order granting summary disposition is **DISMISSED** for lack of jurisdiction because the claim of appeal was not filed within 21 days of the January 18, 2006 final order under MCR 7.202(6)(a)(i) as required by MCR 7.204(A)(1)(b). The appellants could not wait until disposition of the attorney fees and costs to file the claim of appeal challenging the granting of summary disposition. See *Baitinger v Brisson*, 230 Mich App 112 (1998). The claim of appeal does remain pending as to the order granting attorney fees and costs. However, that only permits the appellants to raise the last two issues in the docketing statement that has been filed. See MCR 7.203(A). Any challenge to the actual granting of summary disposition must be done by an application for leave to appeal under MCR 7.205.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 27 2006

Date

Sandra Schultz Mengel
Chief Clerk